

**FACT SHEET FOR NPDES PERMIT
NO. WA-005206-0**

VALLEY PROCESSING, INC. – PLANT NO. 1

DATE OF THIS FACT SHEET -

DATE OF EXPIRING PERMIT -

SUMMARY

Valley Processing, Inc., Plant No. 1 primarily processes fruit into fruit juice concentrates. The plant operates year-round. During the harvest period, the plant operates 24 hours a day all week, with multiple production shifts to process the fresh fruit.

There are two waste streams from the facility. Waste stream 001 is only used from late September through November. The discharge is non-contact cooling water for a small condenser, which is only used when both grapes and apples are being processed at the same time. The discharge is to joint drain 33.4 (JD 33.4) operated by the Roza-Sunnyside Board of Joint Control. JD 33.4 flows south of Sunnyside to Sulphur Creek, a tributary of the Yakima River. During 2005, waste stream 001 had a total flow of 188,300 cubic feet (1,408,000 gallons).

Waste stream 002 is process and cleaning wastewater. The wastewater is discharged to a sump with a flow meter and sampling station maintained by the Port of Sunnyside Industrial Wastewater Treatment Plant (IWTP). The waste stream 002 discharge is regulated by a contract between Valley Processing, Inc. and the Port of Sunnyside.

Plant improvements have included recycling of condensed steam back to the boilers, installation of stainless steel drains throughout the plant, updated sump pumps for improved solids handling, and secondary containment for stored materials.

The proposed permit includes a change to the waste stream 001 flow limits and units. Flow is measured in cubic feet by the flow meter, and cubic feet will be the units that are used for reporting. Cubic feet are also the units used by the Port of Sunnyside. The flow limits in the previous permit were much higher than the amount used by the facility. Therefore, the limits were lowered to 105,000 cubic feet per week. Because the flow occurs during a short period of time, the previous maximum monthly flow was used as the weekly flow limit.

The previous permit contained pH limits between 5 and 11 standard units (SU). When processing high-acid fruit, the facility's discharge pH has been between 4 and 5 SU. The low pH discharge has not been a problem for the IWTP, and the Port of Sunnyside has approved changing the lower pH limit to 4 SU.

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INTRODUCTION

The Federal Clean Water Act (FCWA, 1972, and later modifications in 1977, 1981, and 1987) established water quality goals for the navigable (surface) waters of the United States. One of the mechanisms for achieving the goals of the Clean Water Act is the National Pollutant Discharge Elimination System of permits (NPDES permits), which is administered by the U.S. Environmental Protection Agency (EPA). The EPA has authorized the State of Washington to administer the NPDES permit program. Chapter 90.48 RCW defines the Department of Ecology's authority and obligations in administering the wastewater discharge permit program.

The regulations adopted by the State include procedures for issuing permits (Chapter 173-220 WAC), water quality criteria for surface and ground waters (Chapters 173-201A and 200 WAC), and sediment management standards (Chapter 173-204 WAC). These regulations require that a permit be issued before discharge of wastewater to waters of the state is allowed. The regulations also establish the basis for effluent limitations and other requirements which are to be included in the permit. One of the requirements (WAC 173-220-060) for issuing a permit under the NPDES permit program is the preparation of a draft permit and an accompanying fact sheet. Public notice of the availability of the draft permit is required at least thirty days before the permit is issued (WAC 173-220-050). The fact sheet and draft permit are available for review. See Appendix A--Public Involvement of the fact sheet for more detail on the Public Notice procedures.

The fact sheet and draft permit have been reviewed by the Permittee. Errors and omissions identified in this review have been corrected before going to public notice. After the public comment period has closed, the Department will summarize the substantive comments and the response to each comment. The summary and response to comments will become part of the file on the permit and parties submitting comments will receive a copy of the Department's response. The fact sheet will not be revised. Comments and the resultant changes to the permit will be summarized in Appendix D--Response to Comments.

GENERAL INFORMATION	
Applicant	Valley Processing, Inc.
Facility Name and Address	Valley Processing, Inc., Plant No. 1 PO Box 246 108 East Blaine Avenue Sunnyside, Washington 98944
Type of Facility	Processing of fresh fruit into juice and concentrates
SIC Code	3902
Discharge Locations 001	Waterbody name: Joint Drain 33.4 (JD 33.4) Irrigation return drain which flows to Sulphur Creek Latitude: 46° 19' 38" N Longitude: 120° 01' 05" W
002	Port of Sunnyside Industrial Wastewater Treatment Facility
Water Body ID Number	Sulphur Creek: WA-37-1030
Facility Contact	Leo Burris – Maintenance Superintendent, (509) 837-8084
Responsible Official	Mary Ann Bleisner - President, (509) 837-8084 FAX: 509-837-3481

BACKGROUND INFORMATION

DESCRIPTION OF THE FACILITY

History

Valley Processing has been operating Plant No. 1 for approximately 25 years. The company began making grape and apple concentrates, which are used by other companies to make juices or jellies. In 1987, a new apple juice facility was constructed (Valley Processing 2003). The product line has been expanded to include a variety of fruit and berry concentrates, purees, and essences.

Industrial Process

The facility primarily processes fruit into fruit juice concentrates. The plant operates year-round. During the harvest period, the plant operates 24 hours a day all week with multiple production shifts to process the fresh fruit. The operation also includes year-round dry, cold, and freezer

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storage. The following fruits and berries are processed: apple, grape, blackberry, boysenberry, cranberry, currant, cherry, pear, raspberry, and strawberry (Valley Processing 2003).

The following are raw materials used in juice and concentrate production (per year):

Raw Materials	
Various Fruits	0-75,000 tons
Enzymes	0-4,000 gallons
Diatomaceous Earth	0-2,000 tons
Fining Agents	0-5 tons
Press Aids	0-1,000 tons

Diatomaceous earth is used for filtering the juice. Spent diatomaceous earth is disposed of at a Yakima County compost site. Fining agents are added, such as bentonite, to improve clarity, color, odor, flavor and stability. Press aids, such as sterilized wood pulp and rice hulls, increase the yield of juice.

The primary products are fruit juice (up to 1.5 million gallons/year) and fruit juice concentrates (up to 3 million gallons/year). The facility produces organic and kosher products (Valley Processing 2003). Juice is concentrated by using heat and vacuum pressure. Process discharge consists of fruit processing waste, condensate, and cleaning wastes. Solids from fruit processing are screened and used as cattle feed.

Materials stored at the facility include oil, paint, grease, and cleaning products. The cleaning products used include liquid caustic, powdered oxygen bleach, and acid solutions. The facility has a Hazard Analysis and Critical Points program to identify food safety hazards.

Plant improvements have included recycling of condensed steam back to the boilers, installation of stainless steel drains throughout the plant, updated sump pumps for improved solids handling, and secondary containment for stored materials.

Wastewater Discharge

The facility uses both City of Sunnyside water and groundwater from a supply well. Water use averages 147,000 gallons per day, with a maximum use of 897,000 gallons per day.

There are two waste streams from the facility. Waste stream 001 is only used from late September through November. The discharge is non-contact cooling water for a small condenser, which is used when both grapes and apples are being processed at the same time. A single pass of well water cools the juice, then discharges to a storm drain. The storm drain discharges to

joint drain JD 33.4, which is operated by the Roza-Sunnyside Board of Joint Control. JD 33.4 flows south of Sunnyside to Sulphur Creek, a tributary of the Yakima River. Discharge occurs an average of 20 days annually during the September to November period.

Waste stream 002 is process and cleaning wastewater. The wastewater is discharged to a sump with a flow meter and sampling station maintained by the Port of Sunnyside Industrial Wastewater Treatment Plant (IWTP).

At the IWTP, wastewater can be directed to up to three aerated lagoons for mixing and storage or diverted directly to two sequencing batch reactors (SBRs) for treatment. Depending on the time of year, the SBR effluent is either discharged to the IWTF sprayfield or to the Roza-Sunnyside Board of Joint Control Drain JD 33.4. A fourth aerated lagoon functions as a post-treatment holding pond for the sprayfield operation. The sprayfield consists of 12 fields, located east and south of the lagoons and SBRs, with a total area of approximately 398 acres.

PERMIT STATUS

The previous permit for this facility was issued on October 31, 2001. An application for permit renewal was submitted to the Department on November 22, 2005, and accepted by the Department on December 5, 2005.

SUMMARY OF COMPLIANCE WITH PREVIOUS PERMIT

The facility was last inspected on June 3, 2005. At that time there was concern about incorrect reporting and lack of temperature and flow data for the waste stream 001 discharge to surface water.

During the past 2 years, the facility has had 13 violations for low pH between 4 and 5 Standard units (SU), and one violation for high pH (11.6). The low pH is a result of high-acid fruit used for production and additional cleaning required for fruit with high tartaric acid compound levels. These violations did not cause problems at the IWTP.

During the period from August 2005 to November 2005, monthly BOD₅ exceeded the contract limits with the Port of Sunnyside. This was due to an unusually high volume of fruit processed that year. No problems occurred at the IWTP because of this increased loading to the plant.

WASTEWATER CHARACTERIZATION

In 2005, waste stream 001 had a monthly flow from 81,860 to 787,310 gallons for September through November. The total flow for that period was 188,300 cubic feet (1,408,000 gallons)

The 2005 maximum monthly flow was 105,000 cubic feet. The temperature was 68 °F. Samples were not analyzed for pH.

The measurements reported in the last 2 years of facility monthly reports for waste stream 002 (May 2004 to May 2006) are summarized below:

Parameter	Average Monthly	Monthly Maximum	Monthly Minimum
BOD (5 Day), lbs/month	75,600	237,400	1,250
Flow, cubic feet/month	670,000	1,770,000	341,000
Total Suspended Solids, lbs/month	7,930	24,930	131
Phosphorus, Total (as P), mg/L	18.7	391	0.30
Total Kjeldahl N, mg/L	8.70	33.6	2.50
Chloride, mg/L	27.8	47.0	17.0
pH, standard units	5.24	11.6	4.00
COD, mg/L	3,190	6,100	1,550
Total Dissolved Solids, mg/L	1,380	3,110	622
Fixed Dissolved Solids, mg/L	491	1,260	181

PROPOSED PERMIT LIMITATIONS

Federal and State regulations require that effluent limitations set forth in a NPDES permit must be either technology- or water quality-based. Technology-based limitations are based upon the treatment methods available to treat specific pollutants. Technology-based limitations are set by regulation or developed on a case-by-case basis (40 CFR 125.3, and Chapter 173-220 WAC). Water quality-based limitations are based upon compliance with the Surface Water Quality Standards (Chapter 173-201A WAC), Ground Water Standards (Chapter 173-200 WAC), Sediment Quality Standards (Chapter 173-204 WAC) or the National Toxics Rule (40 CFR 131.36). The more stringent of these two limits must be chosen for each of the parameters of concern. Each of these types of limits is described in more detail below.

The limits in this permit are based in part on information received in the application. The effluent constituents in the application were evaluated on a technology- and water quality-basis. The limits necessary to meet the rules and regulations of the State of Washington were determined and included in this permit. Ecology does not develop effluent limits for all pollutants that may be reported on the application as being present in the effluent. Some pollutants are not treatable at the concentrations reported, are not controllable at the source, are not listed in regulation, and do not have a reasonable potential to cause a water quality violation. Effluent limits are not always developed for pollutants that may be in the discharge but not reported as being present in the application. In those circumstances the permit does not authorize discharge of the non-reported pollutants. Effluent discharge conditions may change from the conditions reported in the permit application. If significant changes occur in any constituent, as described in 40 CFR 122.42(a), the Permittee is required to notify the Department. The Permittee may be in violation of the permit until the permit is modified to reflect additional discharge of pollutants.

EFFLUENT LIMITATIONS BASED ON LOCAL LIMITS, WASTE STREAM 002

In order to protect the Port of Sunnyside IWTF from pass-through, interference, concentrations of toxic chemicals that would impair beneficial or designated uses of sludge, or potentially hazardous exposure levels, limitations for certain parameters are necessary.

The waste stream 002 discharge is regulated by a contract between Valley Processing, Inc. and the Port of Sunnyside. Because the limits in the Port of Sunnyside contract may change during the effective period of the permit, an appendix to the Permittee's Operation and Maintenance (O&M) manual containing the current contract limits is referenced in the permit instead of incorporating Schedule A directly into the permit.

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Schedule A from the most recent contract between Valley Processing, Inc. and the Port of Sunnyside, dated January 1, 2001, contains the following limitations. The hydraulic discharge “peak” is the permit limit.

	Hydraulic Discharge		Biochemical Oxygen Demand	Total Suspended Solids	Total Kjeldahl Nitrogen	Total Phosphorus
	Contracted	Peak				
	Monthly Total, cubic feet		Monthly Total, pounds	Monthly Total, pounds	Monthly Total, pounds	Monthly Total, pounds
January	800,000	*	57,000	40,000	2,500	2,500
February	800,000	*	57,000	40,000	2,500	2,500
March	570,000	855,000	57,000	40,000	2,500	2,500
April	570,000	855,000	57,000	40,000	2,500	2,500
May	570,000	855,000	60,000	45,000	3,250	2,500
June	770,000	1,155,000	85,000	45,000	3,250	3,000
July	1,000,000	1,500,000	96,000	54,000	3,250	3,000
August	1,200,000	1,800,000	96,000	54,000	4,000	3,000
September	1,400,000	2,100,000	125,000	66,000	4,750	4,000
October	1,600,000	2,400,000	140,000	78,000	4,750	4,000
November	800,000	*	80,000	66,000	4,000	3,500
December	800,000	*	57,000	40,000	2,500	2,500
Annual Total	10,880,000		967,000	608,000	39,750	35,500

* The Industry may exceed the monthly contracted volumes so long as the total discharge for the four consecutive months (*) of November through February is not in excess of 3,200,000 cubic feet.

pH Limits

The previous permit contained pH limits between 5 and 11 SU. When processing high-acid fruit, the facility’s discharge pH has been between 4 and 5 SU. This has not been a problem for the

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IWTP, and the Port of Sunnyside has approved changing the lower pH limit to 4 SU (Farrell personal communication 2006).

SURFACE WATER QUALITY-BASED EFFLUENT LIMITATIONS

In order to protect existing water quality and preserve the designated beneficial uses of Washington's surface waters, WAC 173-201A-060 states that waste discharge permits shall be conditioned such that the discharge will meet established Surface Water Quality Standards. The Washington State Surface Water Quality Standards (Chapter 173-201A WAC) is a state regulation designed to protect the beneficial uses of the surface waters of the state. Surface water quality-based effluent limitations may be based on an individual waste load allocation (WLA) or on a WLA developed during a basin wide total maximum daily loading study.

Numerical Criteria for the Protection of Aquatic Life

"Numerical" water quality criteria are numerical values set forth in the State of Washington's Water Quality Standards for Surface Waters (Chapter 173-201A WAC). They specify the levels of pollutants allowed in receiving water while remaining protective of aquatic life. Numerical criteria set forth in the Water Quality Standards are used along with chemical and physical data for the wastewater and receiving water to derive the effluent limits in the discharge permit. When surface water quality-based limits are more stringent or potentially more stringent than technology-based limitations, they must be used in a permit.

Numerical Criteria for the Protection of Human Health

The U.S. EPA has promulgated 91 numeric water quality criteria for the protection of human health that are applicable to Washington State (EPA 1992). These criteria are designed to protect humans from cancer and other disease and are primarily applicable to fish and shellfish consumption and drinking water from surface waters.

Narrative Criteria

In addition to numerical criteria, "narrative" water quality criteria (WAC 173-201A-030) limit toxic, radioactive, or deleterious material concentrations below those which have the potential to adversely affect characteristic water uses, cause acute or chronic toxicity to biota, impair aesthetic values, or adversely affect human health. Narrative criteria protect the specific beneficial uses of all fresh (WAC 173-201A-130) and marine (WAC 173-201A-140) waters in the State of Washington.

Antidegradation

The State of Washington's Antidegradation Policy requires that discharges into receiving water shall not further degrade the existing water quality of the water body. In cases where the natural conditions of receiving water are of lower quality than the criteria assigned, the natural conditions shall constitute the water quality criteria. Similarly, when the natural conditions of receiving water are of higher quality than the criteria assigned, the natural conditions shall be protected. More information on the State Antidegradation Policy can be obtained by referring to WAC 173-201A-070.

Description of the Receiving Water

From late September through November, the facility discharges waste stream 001 to irrigation return drain JD 33.4, which flows primarily in culverts to Sulphur Creek. Sulphur Creek is designated as a Class B receiving water in the vicinity of the outfall. However, JD 33.4 is considered Class A because it has no special designation. Significant nearby non-point sources of pollutants include other irrigation return drains. Characteristic uses include the following:

water supply (industrial, agricultural); stock watering; fish migration; fish and shellfish rearing, spawning and harvesting; wildlife habitat; secondary contact recreation; sport fishing; boating and aesthetic enjoyment; commerce and navigation. Water quality of this class shall meet or exceed the requirements for most uses.

Surface Water Quality Criteria

Applicable criteria are defined in Chapter 173-201A WAC for aquatic biota. In addition, the EPA has promulgated human health criteria for toxic pollutants (EPA 1992). Criteria for waste stream 001 discharge to JD 33.4 (Class A) are summarized below:

Fecal Coliforms	100 organisms/100 mL maximum geometric mean
Dissolved Oxygen	8 mg/L minimum
Temperature	18 degrees Celsius maximum or incremental increases above background
pH	6.5 to 8.5 standard units
Turbidity	less than 5 NTU above background
Toxics	No toxics in toxic amounts (see Appendix C for numeric criteria for toxics of concern for this discharge)

In 2002, a temperature analysis was conducted for the waste stream 001 discharge (cooling water) to surface water (Irrigation and Hydraulics Unlimited 2002.) The analysis considered the

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effects of both Valley Processing and City of Sunnyside Wastewater Treatment Plant (WWTP) discharges to JD 33.4. The temperature measurements in the drain were less than predicted. The study concluded that because Valley Processing was discharging cooling water at a period that had lower ground temperatures, providing natural cooling, the addition of cooling at the plant would provide no further benefit. Upstream temperatures in JD 33.4 for 1999 and 2000 were between 8.3 and 15.5 °C from September 21 to November 7. The measured temperature increase for both Valley Processing and the City of Sunnyside WWTP was less than the allowed temperature increase for Valley Processing alone.

Sulphur Creek is listed as impaired for DDTs, Dieldrin, and Endosulfan concentrations measured in water.

Consideration of Surface Water Quality-Based Limits for Numeric Criteria

A study of effects on the receiving water of waste stream 001 discharge, cooling water, found that a mixing zone was not appropriate for the discharge to JD 33.4 and no additional Valley Processing Plant cooling was needed to achieve water quality standards for Sulphur Creek (Irrigation and Hydraulics Unlimited 2002.)

Whole Effluent Toxicity

The *Water Quality Standards for Surface Waters* require that the effluent not cause toxic effects in the receiving waters. Many toxic pollutants cannot be detected by commonly available detection methods. However, toxicity can be measured directly by exposing living organisms to the wastewater in laboratory tests and measuring the response of the organisms. Toxicity tests measure the aggregate toxicity of the whole effluent, and therefore this approach is called whole effluent toxicity (WET) testing.

Toxicity caused by unidentified pollutants is not expected in the effluent from this discharge as determined by the screening criteria given in Chapter 173-205 WAC. Therefore, no whole effluent toxicity testing is required in this permit. The Department may require effluent toxicity testing in the future if it receives information that toxicity may be present in this effluent.

Human Health

Washington's water quality standards now include 91 numeric health-based criteria that must be considered in NPDES permits. These criteria were promulgated for the state by the EPA in its National Toxics Rule (Federal Register, Volume 57, No. 246, Tuesday, December 22, 1992).

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The Department has determined that the applicant's discharge is unlikely to contain chemicals regulated for human health.

Sediment Quality

The Department has promulgated aquatic sediment standards (Chapter 173-204 WAC) to protect aquatic biota and human health. These standards state that the Department may require Permittees to evaluate the potential for the discharge to cause a violation of applicable standards (WAC 173-204-400).

The Department has determined through a review of the discharger characteristics and effluent characteristics that this discharge has no reasonable potential to violate the Sediment Management Standards.

GROUND WATER QUALITY LIMITATIONS

The Department has promulgated Ground Water Quality Standards (Chapter 173-200 WAC) to protect beneficial uses of ground water. Permits issued by the Department shall be conditioned in such a manner so as not to allow violations of those standards (WAC 173-200-100).

This Permittee has no discharge to ground and therefore no limitations are required based on potential effects to ground water. In addition, the recent construction of sequencing batch reactors has increased the treatment capability at the Port of Sunnyside IWTF, reducing the impact of the IWTF sprayfield on groundwater.

COMPARISON OF EFFLUENT LIMITS WITH THE PREVIOUS PERMIT

Waste stream 001 flow limits in the previous permit were much higher than the amount used by the facility. Therefore, the limits were lowered to 105,000 cubic feet per week. Because the flow occurs during a short period of time, the previous maximum monthly flow was used as the weekly flow limit.

Effluent Limits, Waste Stream 001 (Cooling Water)

Parameter	Existing Limits	Proposed Limits
pH	Between 6 and 9 SU	No change
Flow	540,000 gallons per day	105,000 cubic feet per week (787,300 gallons per week)*

* The previous maximum monthly total.

Waste stream 002 limits are those that exist in the current contract between the Port of Sunnyside and Valley Processing. The contract has not changed from the previous permit, but the facility has been approved to discharge wastes with a pH as low as 4.0 SU.

MONITORING REQUIREMENTS

Monitoring, recording, and reporting are required (WAC 173-220-210 and 40 CFR 122.41) to verify that the treatment process is functioning correctly and the effluent limitations are being achieved.

The monitoring schedule is detailed in the proposed permit under Condition S2. Specified monitoring frequencies take into account the quantity and variability of the discharge, the treatment method, past compliance, significance of pollutants, and cost of monitoring. Monitoring, recording, and reporting are specified to verify that the treatment process is functioning correctly, and that effluent limitations are being achieved (WAC 173-216-110).

The Port of Sunnyside's composite sampler is located in a building outside the facility. The Port monitors flow and collects the facility samples for analysis. Discharge flow is measured by a flow meter.

Analyses conducted by the Port laboratory include pH, chemical oxygen demand, biological oxygen demand, total suspended solids, total Kjeldahl nitrogen, total phosphorus, and chloride. Tests will be conducted for total dissolved solids, and fixed dissolved solids as required.

LAB ACCREDITATION

With the exception of certain parameters, the permit requires all monitoring data to be prepared by a laboratory registered or accredited under the provisions of Chapter 173-50 WAC, *Accreditation of Environmental Laboratories*.

OTHER PERMIT CONDITIONS

REPORTING AND RECORDKEEPING

The conditions of Permit Section S3. are based on the authority to specify any appropriate reporting and recordkeeping requirements to prevent and control waste discharges (WAC 173-220-210).

NON-ROUTINE AND UNANTICIPATED DISCHARGES

Occasionally, this facility may generate wastewater which is not characterized in its permit application because it is not a routine discharge and was not anticipated at the time of application. These typically are waters used to pressure test storage tanks or fire water systems or leaks from drinking water systems. These are typically clean waste waters, but might be contaminated with pollutants. The permit contains an authorization for non-routine and unanticipated discharges. The permit requires a characterization of these waste waters for pollutants and examination of the opportunities for reuse. Depending on the nature and extent of pollutants in this wastewater and opportunities for reuse, the Department may authorize a direct discharge via the process wastewater outfall or through a stormwater outfall for clean water, require the wastewater to be discharged through the facilities wastewater treatment process or require the water to be reused.

The Permittee has developed a plan for preventing the accidental release of pollutants to state waters and for minimizing damages if such a spill occurs. The proposed permit requires the Permittee to update this plan and submit it to the Department.

GENERAL CONDITIONS

General Conditions are based directly on state laws and regulations and have been standardized for all industrial waste discharge to Publicly Owned Treatment Works (POTW) permits issued by the Department.

- Condition G1. requires responsible officials or their designated representatives to sign submittals to the Department.
- Condition G2. requires the Permittee to allow the Department to access the treatment system, production facility, and records related to the permit.
- Condition G3. specifies conditions for modifying, suspending or terminating the permit.

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- Condition G4. requires the Permittee to apply to the Department prior to increasing or varying the discharge from the levels stated in the permit application.
- Condition G5. requires the Permittee to construct, modify, and operate the permitted facility in accordance with approved engineering documents.
- Condition G6. prohibits the Permittee from using the permit as a basis for violating any laws, statutes or regulations.
- Condition G7. relates to permit renewal and transfer.
- Condition G8. requires the Permittee to control production or wastewater discharge in order to maintain compliance with the permit.
- Condition G9. prohibits the reintroduction of removed pollutants into the effluent stream for discharge.
- Condition G10. requires the payment of permit fees.
- Condition G11. describes the penalties for violating permit conditions.

PERMIT ISSUANCE PROCEDURES

PERMIT MODIFICATIONS

The Department may modify this permit to impose numerical limitations, if necessary to meet Water Quality Standards for Surface Waters, Sediment Quality Standards, or Water Quality Standards for Ground Waters, based on new information obtained from sources such as inspections, effluent monitoring, outfall studies, and effluent mixing studies.

The Department may also modify this permit as a result of new or amended state or federal regulations.

RECOMMENDATION FOR PERMIT ISSUANCE

This proposed permit meets all statutory requirements for authorizing a wastewater discharge, including those limitations and conditions believed necessary to control toxics, protect human health, aquatic life, and the beneficial uses of waters of the State of Washington. The Department proposes that this proposed permit be issued for 5 years.

REFERENCES FOR TEXT AND APPENDICES

US Environmental Protection Agency (EPA)

1992. National Toxics Rule. Federal Register, V. 57, No. 246, Tuesday, December 22, 1992.
1991. Technical Support Document for Water Quality-based Toxics Control. EPA/505/2-90-001.
1988. Technical Guidance on Supplementary Stream Design Conditions for Steady State Modeling. USEPA Office of Water, Washington, D.C.
1985. Water Quality Assessment: A Screening Procedure for Toxic and Conventional Pollutants in Surface and Ground Water. EPA/600/6-85/002a.
1983. Water Quality Standards Handbook. USEPA Office of Water, Washington, D.C.
- Farrell, R. 2006. Personal Communication. Port of Sunnyside, Sunnyside, WA. July 10, 2006.
- Irrigation and Hydraulics Unlimited 2002. AKART Analysis for Temperature; Engineering Report for Valley Processing Inc – Plant #1, Sunnyside, Washington. Yakima Washington, June 2002.
- Tsivoglou, E.C., and J.R. Wallace.
1972. Characterization of Stream Reaeration Capacity. EPA-R3-72-012. (Cited in EPA 1985 op.cit.)
- Valley Processing 2003. Valley Processing, Inc. Sunnyside, WA. Website, <http://www.valleyprocessing.com> (6/23/06).
- Washington State Department of Ecology.
1994. Permit Writer's Manual. Publication Number 92-109
- Washington State Department of Ecology.
- Laws and Regulations (<http://www.ecy.wa.gov/laws-rules/index.html>)

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Permit and Wastewater Related Information
(<http://www.ecy.wa.gov/programs/wq/wastewater/index.html>)

Wright, R.M., and A.J. McDonnell.

1979. In-stream Deoxygenation Rate Prediction. Journal Environmental Engineering Division, ASCE. 105(E2). (Cited in EPA 1985 op.cit.)

DRAFT

APPENDIX A--PUBLIC INVOLVEMENT INFORMATION

The Department has tentatively determined to reauthorize a permit to the applicant listed on page 1 of this fact sheet. The permit contains conditions and effluent limitations which are described in the rest of this fact sheet.

Public notice of application was published on July 6, 2006 in the Yakima Herald Republic to inform the public that an application had been submitted and to invite comment on the reissuance of this permit.

The Department will publish a Public Notice of Draft (PNOD) on (date) in (name of publication) to inform the public that a draft permit and fact sheet are available for review. Interested persons are invited to submit written comments regarding the draft permit. The draft permit, fact sheet, and related documents are available for inspection and copying between the hours of 8:00 a.m. and 5:00 p.m. weekdays, by appointment, at the regional office listed below. Written comments should be mailed to:

Water Quality Permit Coordinator
Department of Ecology
Central Regional Office
15 West Yakima Avenue, Suite 200
Yakima, WA 98902

Any interested party may comment on the draft permit or request a public hearing on this draft permit within the 30 day comment period to the address above. The request for a hearing shall indicate the interest of the party and reasons why the hearing is warranted. The Department will hold a hearing if it determines there is a significant public interest in the draft permit (WAC 173-220-090). Public notice regarding any hearing will be circulated at least 30 days in advance of the hearing. People expressing an interest in this permit will be mailed an individual notice of hearing (WAC 173-220-100).

Comments should reference specific text followed by proposed modification or concern when possible. Comments may address technical issues, accuracy and completeness of information, the scope of the facility's proposed coverage, adequacy of environmental protection, permit conditions, or any other concern that would result from issuance of this permit.

The Department will consider all comments received within 30 days from the date of public notice of draft indicated above, in formulating a final determination to issue, revise, or deny the permit. The Department's response to all significant comments is available upon request and will be mailed directly to people expressing an interest in this permit.

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VALLEY PROCESSING, INC. – PLANT #1

EXPIRATION DATE:

Further information may be obtained from the Department by telephone, 509-457-7105, or by writing to the address listed above.

This permit and fact sheet were written by Jean Hays.

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APPENDIX B--GLOSSARY

Acute Toxicity--The lethal effect of a compound on an organism that occurs in a short period of time, usually 48 to 96 hours.

AKART-- An acronym for “all known, available, and reasonable methods of treatment”.

Ambient Water Quality--The existing environmental condition of the water in a receiving water body.

Ammonia--Ammonia is produced by the breakdown of nitrogenous materials in wastewater. Ammonia is toxic to aquatic organisms, exerts an oxygen demand, and contributes to eutrophication. It also increases the amount of chlorine needed to disinfect wastewater.

Average Monthly Discharge Limitation --The average of the measured values obtained over a calendar month's time.

Best Management Practices (BMPs)--Schedules of activities, prohibitions of practices, maintenance procedures, and other physical, structural and/or managerial practices to prevent or reduce the pollution of waters of the State. BMPs include treatment systems, operating procedures, and practices to control: plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage. BMPs may be further categorized as operational, source control, erosion and sediment control, and treatment BMPs.

BOD₅--Determining the Biochemical Oxygen Demand of an effluent is an indirect way of measuring the quantity of organic material present in an effluent that is utilized by bacteria. The BOD₅ is used in modeling to measure the reduction of dissolved oxygen in a receiving water after effluent is discharged. Stress caused by reduced dissolved oxygen levels makes organisms less competitive and less able to sustain their species in the aquatic environment. Although BOD is not a specific compound, it is defined as a conventional pollutant under the federal Clean Water Act.

Bypass--The intentional diversion of waste streams from any portion of a treatment facility.

Chlorine--Chlorine is used to disinfect wastewaters of pathogens harmful to human health. It is also extremely toxic to aquatic life.

Chronic Toxicity--The effect of a compound on an organism over a relatively long time, often 1/10 of an organism's lifespan or more. Chronic toxicity can measure survival, reproduction

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or growth rates, or other parameters to measure the toxic effects of a compound or combination of compounds.

Clean Water Act (CWA)--The Federal Water Pollution Control Act enacted by Public Law 92-500, as amended by Public Laws 95-217, 95-576, 96-483, 97-117; USC 1251 et seq.

Compliance Inspection - Without Sampling--A site visit for the purpose of determining the compliance of a facility with the terms and conditions of its permit or with applicable statutes and regulations.

Compliance Inspection - With Sampling--A site visit to accomplish the purpose of a Compliance Inspection - Without Sampling and as a minimum, sampling and analysis for all parameters with limits in the permit to ascertain compliance with those limits; and, for municipal facilities, sampling of influent to ascertain compliance with the 85 percent removal requirement. Additional sampling may be conducted.

Composite Sample--A mixture of grab samples collected at the same sampling point at different times, formed either by continuous sampling or by mixing discrete samples. May be "time-composite"(collected at constant time intervals) or "flow-proportional" (collected either as a constant sample volume at time intervals proportional to stream flow, or collected by increasing the volume of each aliquot as the flow increased while maintaining a constant time interval between the aliquots.

Construction Activity--Clearing, grading, excavation and any other activity which disturbs the surface of the land. Such activities may include road building, construction of residential houses, office buildings, or industrial buildings, and demolition activity.

Continuous Monitoring --Uninterrupted, unless otherwise noted in the permit.

Critical Condition--The time during which the combination of receiving water and waste discharge conditions have the highest potential for causing toxicity in the receiving water environment. This situation usually occurs when the flow within a water body is low, thus, its ability to dilute effluent is reduced.

Dilution Factor--A measure of the amount of mixing of effluent and receiving water that occurs at the boundary of the mixing zone. Expressed as the inverse of the percent effluent fraction e.g., a dilution factor of 10 means the effluent comprises 10% by volume and the receiving water 90%.

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Engineering Report--A document which thoroughly examines the engineering and administrative aspects of a particular domestic or industrial wastewater facility. The report shall contain the appropriate information required in WAC 173-240-060 or 173-240-130.

Fecal Coliform Bacteria--Fecal coliform bacteria are used as indicators of pathogenic bacteria in the effluent that are harmful to humans. Pathogenic bacteria in wastewater discharges are controlled by disinfecting the wastewater. The presence of high numbers of fecal coliform bacteria in a water body can indicate the recent release of untreated wastewater and/or the presence of animal feces.

Grab Sample--A single sample or measurement taken at a specific time or over as short period of time as is feasible.

Industrial Wastewater--Water or liquid-carried waste from industrial or commercial processes, as distinct from domestic wastewater. These wastes may result from any process or activity of industry, manufacture, trade or business, from the development of any natural resource, or from animal operations such as feed lots, poultry houses, or dairies. The term includes contaminated storm water and, also, leachate from solid waste facilities.

Major Facility--A facility discharging to surface water with an EPA rating score of > 80 points based on such factors as flow volume, toxic pollutant potential, and public health impact.

Maximum Daily Discharge Limitation--The highest allowable daily discharge of a pollutant measured during a calendar day or any 24-hour period that reasonably represents the calendar day for purposes of sampling. The daily discharge is calculated as the average measurement of the pollutant over the day.

Method Detection Level (MDL)--The minimum concentration of a substance that can be measured and reported with 99% confidence that the analyte concentration is above zero and is determined from analysis of a sample in a given matrix containing the analyte.

Minor Facility--A facility discharging to surface water with an EPA rating score of < 80 points based on such factors as flow volume, toxic pollutant potential, and public health impact.

Mixing Zone--An area that surrounds an effluent discharge within which water quality criteria may be exceeded. The area of the authorized mixing zone is specified in a facility's permit and follows procedures outlined in state regulations (Chapter 173-201A WAC).

National Pollutant Discharge Elimination System (NPDES)--The NPDES (Section 402 of the Clean Water Act) is the Federal wastewater permitting system for discharges to navigable

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waters of the United States. Many states, including the State of Washington, have been delegated the authority to issue these permits. NPDES permits issued by Washington State permit writers are joint NPDES/State permits issued under both State and Federal laws.

pH--The pH of a liquid measures its acidity or alkalinity. A pH of 7 is defined as neutral, and large variations above or below this value are considered harmful to most aquatic life.

Quantitation Level (QL)-- A calculated value five times the MDL (method detection level).

Responsible Corporate Officer-- A president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy- or decision-making functions for the corporation, or the manager of one or more manufacturing, production, or operating facilities employing more than 250 persons or have gross annual sales or expenditures exceeding \$25 million (in second quarter 1980 dollars), if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures (40 CFR 122.22).

Technology-based Effluent Limit--A permit limit that is based on the ability of a treatment method to reduce the pollutant.

Total Suspended Solids (TSS)--Total suspended solids is the particulate material in an effluent. Large quantities of TSS discharged to a receiving water may result in solids accumulation. Apart from any toxic effects attributable to substances leached out by water, suspended solids may kill fish, shellfish, and other aquatic organisms by causing abrasive injuries and by clogging the gills and respiratory passages of various aquatic fauna. Indirectly, suspended solids can screen out light and can promote and maintain the development of noxious conditions through oxygen depletion.

State Waters--Lakes, rivers, ponds, streams, inland waters, underground waters, salt waters, and all other surface waters and watercourses within the jurisdiction of the state of Washington.

Stormwater--That portion of precipitation that does not naturally percolate into the ground or evaporate, but flows via overland flow, interflow, pipes, and other features of a storm water drainage system into a defined surface water body, or a constructed infiltration facility.

Upset--An exceptional incident in which there is unintentional and temporary noncompliance with technology-based permit effluent limitations because of factors beyond the reasonable control of the Permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, lack of preventative maintenance, or careless or improper operation.

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Water Quality-based Effluent Limit--A limit on the concentration of an effluent parameter that is intended to prevent the concentration of that parameter from exceeding its water quality criterion after it is discharged into a receiving water.

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APPENDIX C--DATA

	BOD, 5-DAY	BOD, 5-DAY	BOD, 5-DAY	CHLORIDE	CHLORIDE	COD (CHEMICAL)	COD (CHEMICAL)	FLOW	FLOW	FLOW
	AVG	MAX	TOM	AVG	MAX	AVG	MAX	AVG	MAX	TOT
	MG/L	MG/L	LBS/DAY	MG/L	MG/L	MG/L	MG/L	CUBIC FEET	CUBIC FEET	CUBIC FEET/M
	Value	Value	Value	Value	Value	Value	Value	Value	Value	Value
VALLEY PROCESSING INC										
WA0052060B										
DMR (MONTHLY)										
EFFLUENT										
2										
1-Apr-04	1,042.00	1,323.00		18.00	21.00	1,790.00	2,650.00	16,383.00	32,700.00	491,500.00
1-May-04	2,318.00	4,654.00		22.00	29.00	4,042.00	7,650.00	11,655.00	27,900.00	361,300.00
1-Jun-04	1,898.00	2,927.00		20.00	34.00	3,390.00	5,170.00	14,340.00	28,900.00	430,200.00
1-Jul-04	1,455.00	2,065.00		18.00	25.00	2,659.00	3,850.00	18,890.00	32,700.00	585,600.00
1-Aug-04	2,013.00	4,273.00		33.00	82.00	3,755.00	13,600.00	14,652.00	27,700.00	454,200.00
1-Sep-04	1,670.00	3,057.00		25.00	31.00	3,290.00	5,970.00	31,460.00	62,500.00	943,800.00
1-Oct-04	3,169.00	5,178.00		27.00	32.00	6,098.00	9,510.00	49,726.00	65,300.00	1,541,500.00
1-Nov-04	2,394.00	4,922.00		27.00	33.00	4,920.00	8,930.00	18,583.00	36,200.00	557,500.00
1-Dec-04	1,822.00	4,335.00		31.00	46.00	3,347.00	1,610.00	21,074.00	40,900.00	653,300.00
1-Jan-05	2,403.00	7,544.00		40.00	49.00	4,396.00	15,000.00	17,755.00	35,500.00	550,400.00
1-Feb-05	1,636.00	4,384.00		47.00	69.00	3,171.00	8,900.00	13,496.00	34,852.00	377,900.00
1-Mar-05	1,607.00	3,079.00		32.00	62.00	2,947.00	5,310.00	15,626.00	37,279.00	484,400.00
1-Apr-05	1,342.00	2,268.00	41,876.00	22.00	30.00	2,028.00	2,160.00	16,660.00	42,308.00	499,800.00
1-May-05	1,216.00	1,858.00	25,882.00	17.00	28.00	1,957.00	2,900.00	11,000.00	39,600.00	341,000.00
1-Jun-05	2,025.00	2,824.00	64,117.00	28.00	46.00	3,066.00	4,400.00	16,907.00	34,400.00	507,200.00
1-Jul-05	1,497.00	2,231.00	58,026.00	45.00	62.00	2,462.00	5,200.00	20,029.00	42,600.00	620,900.00
1-Aug-05	1,823.00	2,417.00	103,201.00	25.00	34.00	3,284.00	4,450.00	29,252.00	55,300.00	906,800.00
1-Sep-05	2,379.00	4,296.00	151,514.00	27.00	62.00	3,967.00	7,590.00	34,013.00	67,300.00	1,020,400.00
1-Oct-05	2,474.00	3,634.00	273,362.00	25.00	28.00	4,662.00	9,560.00	57,106.00	72,500.00	1,770,300.00
1-Nov-05	1,586.00	3,773.00	107,092.00	46.00	73.00	2,718.00	5,860.00	36,053.00	66,541.00	1,081,600.00
1-Dec-05	1,270.00	1,561.00	53,646.00	29.00	53.00	2,279.00	4,410.00	21,829.00	38,400.00	676,700.00
1-Jan-06	815.00	1,222.00	36,895.00	17.00	30.00	1,550.00	2,590.00	23,381.00	45,500.00	724,800.00
1-Feb-06	1,372.00	1,717.00	38,220.00	26.00	55.00	2,585.00	3,250.00	15,939.00	39,300.00	446,300.00
1-Mar-06	1,090.00	1,956.00	1,245.00	28.00	66.00	2,069.00	3,640.00	18,290.00	39,523.00	567,000.00
1-Apr-06	1,683.00	2,566.00	43,771.00	24.00	28.00	2,813.00	4,060.00	13,883.00	30,473.00	416,500.00
1-May-06	2,316.00	6,764.00	59,324.00	25.00	33.00	3,671.00	10,320.00	13,239.00	26,300.00	410,400.00
Average	1,781.35	3,339.54	75,583.64	27.85	43.88	3,189.08	6,097.69	21,970.04	42,402.92	670,050.00
Max	3,169.00	7,544.00	273,362.00	47.00	82.00	6,098.00	15,000.00	57,106.00	72,500.00	1,770,300.00
Min	815.00	1,222.00	1,245.00	17.00	21.00	1,550.00	1,610.00	11,000.00	26,300.00	341,000.00

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VALLEY PROCESSING, INC. – PLANT #1
EXPIRATION DATE:

ONTH	NITROGEN, KJ		NITROGEN, KJ		PH		PHOSPHORUS, TIT P		PHOSPHORUS, TIT P		FDS		TDS		TSS		TSS	
	AVG	MAX	TOM	MAX	MIN	AVG	MAX	MAX	MAX	TOM	AVG	MAX	AVG	MAX	AVG	MAX	AVG	MAX
	MG/L	MG/L	LBS/DAY	S.U.	S.U.	MG/L	MG/L	MG/L	MG/L	LBS/DAY	MG/L	MG/L	MG/L	MG/L	MG/L	MG/L	MG/L	MG/L
VALLEY PROCESSING INC																		
WA0052060B																		
DMR (MONTHLY)																		
EFFLUENT																		
2																		
1-Apr-04	4.40	4.80			9.70	6.40		1.30		1.50				731.00	772.00	220.00	336.00	
1-May-04	6.30	7.80			10.20	6.20		1.20		2.50				1,256.00	1,400.00	239.00	313.00	
1-Jun-04	13.30	17.00			6.40	4.40		3.40		4.50				1,268.00	1,564.00	205.00	338.00	
1-Jul-04	4.90	10.00			6.90	4.50		1.80		3.60				857.00	1,012.00	262.00	476.00	
1-Aug-04	19.60	23.90			9.30	4.80		391.00		454.00				2,598.00	3,330.00	170.00	424.00	
1-Sep-04	10.10	11.80			8.20	4.90		2.60		2.90				1,265.00	1,550.00	112.00	488.00	
1-Oct-04	33.60	33.60			6.10	4.00		0.70		0.70				3,114.00	3,683.00	771.00	1,195.00	
1-Nov-04	12.70	16.00			9.70	4.50		6.30		6.80		464.00	554.00	1,428.00	1,784.00	450.00	481.00	
1-Dec-04	15.20	22.00			8.10	5.60		5.00		7.00		389.00	462.00	2,542.00	1,254.00	404.00	800.00	
1-Jan-05	3.00	3.40			7.80	4.80		2.50		3.10		227.00	248.00	984.00	1,024.00	286.00	610.00	
1-Feb-05	5.50	10.40			9.90	6.40		5.10		7.90		436.00	674.00	1,645.00	2,348.00	215.00	566.00	
1-Mar-05	8.90	13.40			8.60	4.70		10.70		12.30		393.00	502.00	1,369.00	1,556.00	269.00	368.00	
1-Apr-05	3.30	4.50	103.00		10.20	6.20		0.30		0.80	9.00	181.00	210.00	898.00	910.00	115.00	202.00	3,611.00
1-May-05	5.40	11.60	115.00		8.60	6.10		3.90		9.00	63.00	235.00	260.00	679.00	746.00	165.00	342.00	3,521.00
1-Jun-05	4.50	4.80	142.00		9.50	5.00		3.00		3.90	96.00	425.00	468.00	1,127.00	1,216.00	120.00	412.00	3,788.00
1-Jul-05	9.20	20.10	357.00		9.20	4.60		5.10		11.70	198.00	445.00	760.00	1,101.00	2,816.00	177.00	412.00	6,890.00
1-Aug-05	4.60	5.90	259.00		8.90	6.10		4.70		5.00	267.00	351.00	370.00	1,246.00	1,370.00	269.00	508.00	16,377.00
1-Sep-05	6.40	7.30	405.00		7.10	4.20		4.50		5.30	285.00	260.00	264.00	1,538.00	1,966.00	233.00	336.00	14,868.00
1-Oct-05	11.70	16.30	1,289.00		6.00	4.20		6.30		7.00	693.00	698.00	904.00	2,205.00	3,032.00	226.00	298.00	24,933.00
1-Nov-05	5.60	8.00	378.00		6.60	4.60		3.80		5.00	259.00	547.00	664.00	1,310.00	1,662.00	214.00	448.00	14,434.00
1-Dec-05	2.50	3.30	106.00		6.80	5.70		2.50		4.00	107.00	471.00	492.00	1,047.00	1,174.00	119.00	205.00	5,029.00
1-Jan-06	2.60	3.90	119.00		9.60	5.90		2.60		4.80	119.00	272.00	326.00	622.00	808.00	109.00	188.00	4,946.00
1-Feb-06	3.50	4.30	98.00		9.30	6.00		3.60		3.80	100.00	260.00	332.00	909.00	960.00	80.00	184.00	2,228.00
1-Mar-06	11.30	12.60	402.00	11.60	5.90		8.40	8.50		8.50	298.00	1,090.00	1,256.00	1,758.00	1,936.00	168.00	284.00	5,948.00
1-Apr-06	8.50	15.10	220.00	7.00	4.90		2.40	5.10		5.10	62.00	202.00	248.00	1,085.00	1,236.00	168.00	686.00	4,272.00
1-May-06	9.50	10.00	284.00	9.80	5.60		3.00	3.50		3.50	78.00	297.00	344.00	1,224.00	12,744.00	158.00	225.00	131.00
Average	8.70	11.61	305.50	8.50	5.24		16.68	22.47		22.47	189.57	403.32	491.47	1,377.15	2,071.27	229.23	428.65	7,926.14
Max	33.60	33.60	1,289.00	11.60	6.40		391.00	454.00		454.00	693.00	1,090.00	1,256.00	3,114.00	12,744.00	771.00	1,195.00	24,933.00
Min	2.50	3.30	98.00	6.00	4.00		0.30	0.70		0.70	9.00	181.00	210.00	622.00	746.00	80.00	184.00	131.00

valleyp1 fs 9-22-06
 September 25, 2006 8:31 AM
 jean hays

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EXPIRATION DATE:

	FLOW	FLOW	PH	PH	TEMPERA	TEMPERA	TEMPERAT
	AVG	MAX	MAX	MIN	AVG	AVG	MAX
	GPD	GPD	S.U.	S.U.	°C	°F	°C
	Value	Value	Value	Value	Value	Value	Value
VALLEY PROCESSING INC							
WA0052060B							
DMR (MONTHLY)							
EFFLUENT		#001					
1							
1-May-04							
1-Jun-04							
1-Jul-04							
1-Aug-04							
1-Sep-04							
1-Oct-04		69702					
1-Nov-04							
1-Dec-04							
1-Jan-05							
1-Feb-05							
1-Mar-05							
1-Apr-05							
1-May-05							
1-Jun-05							
1-Jul-05							
1-Aug-05							
1-Sep-05							
1-Sep-05		539061				68	16.55
1-Oct-05		787307					
1-Nov-05		81856					

Several of the Excel® spreadsheet tools used to evaluate a discharger's ability to meet Washington State water quality standards can be found on the Department's homepage at <http://www.ecy.wa.gov>.

APPENDIX D--RESPONSE TO COMMENTS